

REMARKS

I. Status of the Claims

Claims 1-28 were previously cancelled. The Examiner has indicated that claims 32 and 33 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See January 30, 2007, Final Office Action at 5.

By this amendment, Applicants have cancelled claims 44-59, which were previously withdrawn in response to the Restriction Requirement dated May 3, 2006.

Further, Applicants have amended claims 29, 39, 42, and 43 to incorporate the limitations of dependent claim 32. Specifically, these claims have been amended to recite 10% to 25% in mole percentage of a first metal oxide. Accordingly, claims 31, 32, and 41 have been cancelled, and claim 38 has been amended to take into account the amended percentage of the first metal oxide of amended claim 29.

Finally, Applicants have added new claims 60 to 67, which are based on claims 29, 30, 34-38, and 42, respectively, except newly added claims 60 and 67 incorporate the limitations of dependent claim 33 rather than dependent claim 32. Specifically, these claims recite 5% to 20% in mole percentage of a second different metal oxide.

Thus, claims 29, 30, 33-40, 42, 43, and 60-67 are currently pending. Support for these amendments and new claims can be found throughout the specification and claims as originally filed, such as for example original claims 32 and 33. Thus, no new matter has been presented.

II. Notice of Panel Decision from Pre-Appeal Brief Review

In the Notice of Panel Decision from Pre-Appeal Brief Review dated August 20, 2007, the Examiners maintained the rejection of claims 29-31 and 34-43 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,194,334 to Aitken et al. ("Aitken") in view of U.S. Patent No. 6,771,414 to Masuda ("Masuda") and maintained the objection of claims 32-33, which the Examiner has indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. See January 30, 2007, Final Office Action at 5.

Although Applicants continue to disagree with the rejection for at least the reasons of record, in order to expedite prosecution, Applicants have amended independent claims 29, 39, 42, and 43 to incorporate the elements of allowable dependent claim 32. Specifically, these claims have been amended to recite 10% to 25% in mole percentage of a first metal oxide. Applicants have also added claims 60 to 67, which are identical to claims 29, 30, 34-38, and 42, as originally filed, but incorporate the elements of allowable dependent claim 33 rather than claim 32. Specifically, these claims recite 5% to 20% in mole percentage of a second different metal oxide. Because the independent claims 29, 39, 42, 43, 60, and 67 recite the elements of dependent claims 32 or 33, which the Examiner has indicated as containing allowable subject matter, Applicants respectfully submit that these claims and those claims that depend from them are allowable. Thus, Applicants respectfully request that the Examiner withdraw this rejection.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

If the Examiner believes a telephone conference could be useful in resolving any outstanding issues, he is respectfully invited to contact Applicants' undersigned counsel at (202) 408-4152.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: 

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